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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Kevin Albert Sunseri,

Petitioner

v.

Sheriff Lombardo,

Respondents

Case No.: 2:19-cv-00715-JAD-VCF

Order Dismissing Case

On May 13, 2019, this court entered an order directing petitioner to show cause why this habeas case under 28 U.S.C. § 2241 should not be dismissed for lack of state court exhaustion.¹ The court allowed petitioner until June 3, 2019, to make the necessary showing,² and he was advised that failure to timely respond to the order would result in dismissal without further notice.³ Petitioner has failed to file a response to the court's order to show cause.

IT IS THEREFORE ORDERED that the petition for writ of habeas corpus is DISMISSED without prejudice due to petitioner's failure to exhaust state court remedies. The Clerk of Court is directed to ENTER JUDGMENT accordingly and CLOSE THIS CASE.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED because jurists of reason would not find the court's dismissal to be debatable or wrong.

Dated: July 3, 2019



U.S. District Judge Jennifer A. Dorsey

¹ ECF No. 3.

² *Id.* at 3.

³ *Id.*